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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 UNITED STATES OF AMERICA, )

9 Plaintiff, )

10 vs. )

11 MAURICE DONNELL COOPER, )

12 Defendant. )  
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2:07-CR-0066 JCM (GWF)  
Related Case 2:09-CV-1764 JCM

15 **ORDER**

16 Presently before the court is the matter of *United States v. Cooper*, case number 2:07-cr-66-  
17 JCM-GWF.

18 On March 23, 2012, the Ninth Circuit issued an order vacating and remanding to this court.  
19 (Doc. #93). The Ninth Circuit had previously issued a certificate of appealability to determine  
20 whether this court “erred in summarily dismissing [Cooper’s] 28 U.S.C. § 2255 motion as  
21 procedurally defaulted and on the merits without first providing [Cooper] with notice of the default  
22 and an opportunity to respond and/or requiring a response from [the United States].” (Doc. #93).

23 The order vacating and remanding included instructions that the United States “be required  
24 to respond to [Cooper’s] claims and [Cooper] be afforded the opportunity to respond to the argument  
25 for dismissal of some of his claims due to procedural default.” (Doc. #93). The order on mandate  
26 has now been entered on the docket. (Doc. #96).  
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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States file a response to Cooper's claims within 30 days of entry of this order. Cooper shall have 30 days from the date of the response in which to file a reply.

DATED June 27, 2012.

  
**UNITED STATES DISTRICT JUDGE**